IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Crl. Misc. No. 8012-M of 2007

DATE OF DECISION : 02.04.2007

Parkash Chand

.... PETITIONER

Versus

State of Punjab

..... RESPONDENT

CORAM :- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

Present: Mr. S.S. Behl, Advocate,
for the petitioner.

Mr. N.D.S. Mann, Addl. A.G., Punjab.

Petitioner Parkash Chand, apprehending his arrest in a non-bailable offence in case FIR No. 61 dated 7.12.2006 under Sections 409/ 420/467/468/471/477-A/120-B IPC and Section 13 (1) C.D.S.V. 13 (2) 88 of the Prevention of Corruption Act, registered at Police Station Vigilance Bureau, Ferozepur, has filed this petition under Section 438 of the Code of Criminal Procedure for the grant of anticipatory bail.

On February 12, 2007, interim anticipatory bail was granted to the petitioner subject to his joining investigation.

I have heard counsel for the parties and have gone through the contents of the FIR as well as the order dated 27.1.2007, passed by Sessions Judge, Ferozepur, whereby bail application of the petitioner has been dismissed.

Counsel for the petitioner contends that the aforesaid FIR was registered on the complaint made by the Managing Director of the Co-operative Societies Punjab at Chandigarh alleging therein that Baldev Singh Aulakh, Branch Manager-cum-Drawing and Disbursing Officer has distributed loan to the various employees without verifying their salary

certificates in the year 1997. During inquiry in the said case, present petitioner was found to be involved as he was working as Clerk-cum-Accountant on the loan seat. Counsel contends that as far as petitioner is concerned, he was given charge of the said post in September, 2003 and all the alleged irregularities were committed prior to his joining on the said post. Counsel further contends that for some irregularities committed thereafter, petitioner is not the responsible, as he is not the person, who was to take decision regarding grant of loan.

Counsel for the petitioner further states that in terms of the interim order dated February 12, 2007, the petitioner has joined the investigation. The State counsel does not dispute this fact and further states that the petitioner is no more required for further investigation.

In view of the above, without commenting on the merits, the interim bail, granted vide order dated February 12, 2007, is made absolute subject to the same terms and conditions.

Disposed of accordingly.

April 02, 2007 **(SATISH KUMAR MITTAL)**
ndj **JUDGE**